

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER DISASTER
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x	:	<u>ORDER REMINDING</u>
	:	<u>PLAINTIFFS OF RULE 56, FED.</u>
	:	<u>R. CIV. P., AND ENLARGING</u>
	:	<u>TIME TO OPPOSE SUMMARY</u>
	:	<u>JUDGMENT</u>
	:	21 MC 100 (AKH)
x		05 Civ 7273

ALVIN K. HELLERSTEIN, U.S.D.J.:

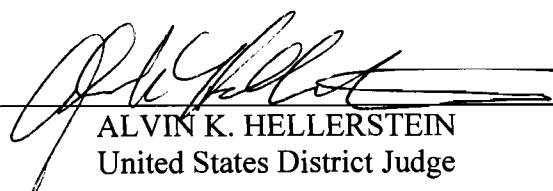
I have read the Motions for Summary Judgment filed by the Port Authority of New York and New Jersey, October 12, 2011, and several of Plaintiffs' responses. The responses, without affidavits sufficient pursuant to Rule 56(c)(4), Fed. R. Civ. P., are not adequate to defeat the motions. I make this order pursuant to Rule 56(e)(1), Fed. R. Civ. P.

Plaintiffs who are the object of the Motion for Summary Judgment filed by the Port Authority of New York and New Jersey, October 12, 2011, and their counsel, are warned to pay close attention to Rule 56, Fed. R. Civ. P., in submitting opposition papers. Rule 56(c)(4) provides that affidavits must be made on personal knowledge (not by attorneys), and on admissible facts. Conclusory objections or statements are not sufficient. Jeffreys v. City of New York, 426 F.3d 549, 554 (2d Cir. 2005). If a Plaintiff fails properly to address Defendant's assertion of fact, Plaintiff risks that summary judgment may be granted.

I order time for opposition to be enlarged to December 9, 2011, and replies to December 16, 2011.

SO ORDERED.

Dated: November 23, 2011
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge